

Congress of the United States

House of Representatives

Washington, DC 20515

September 22, 2009

Ann Wright
Acting Under Secretary
Marketing and Regulatory Programs
US Department of Agriculture
1400 Independence Ave, NW
Washington, DC 20250

Re: Mexico Ban on Exports of California Apples

Dear Ms Wright,

We request your urgent attention and assistance in ending the current ban on exports of California apples to Mexico. On August 25th, Mexico cut off market access for exports of California apples into Mexico for an alleged phytosanitary risk; this action was not based on science. The California apple season is just four to five months, and, in order to salvage the season and the Mexican market, trade must resume immediately.

The Mexico ban is without scientific merit, and Mexico must be encouraged to allow the trade to resume immediately. Recently, Light Brown Apple Moth (LBAM) was discovered in San Joaquin County, California, but growers responded appropriately by treating apples with Methyl Bromide (MB) before shipping them to Mexico. MB is considered a strong treatment that is very effective at eliminating pests. Studies that show the efficacy of MB for LBAM and Mexico has agreed to this premise. Despite this scientific evidence, Mexico continues to add unwarranted additional onerous and unreasonable conditions to MB treatment. These additional requirements are stifling trade and are detrimental to the apple industry in California.

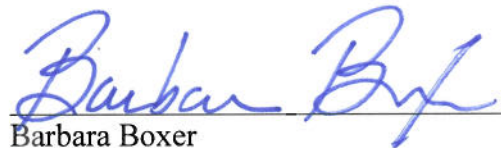
California is the fifth largest producer and the second largest exporter of apples. Like so much of U.S. agriculture, the California apple industry relies on export markets for its success. California has spent the last five years, in partnership with USDA/FAS through MAP and TASC funds, developing this new Mexican market for its exports. Unless we can move the trade immediately, California is seeing its 5-year investment in establishing export markets in Mexico disappear.

Finally, it is a principle of our international agreements in the WTO that trade measures be taken that are in proportion to the risk involved and be the least trade restrictive as possible. The approach that Mexico is taking is in effect to ban California apples and this is not an action proportionate to the risk involved.

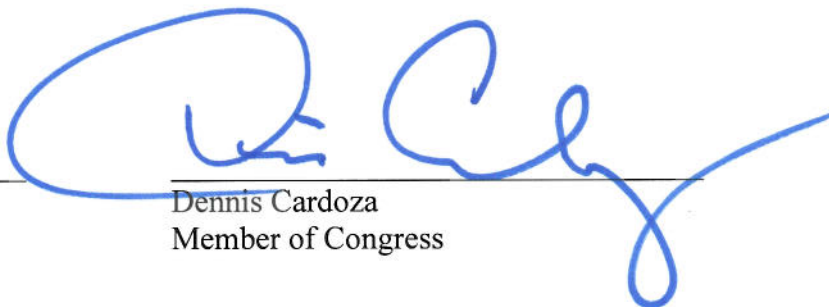
We request that you give this matter the highest priority and help save this very important market. Concerns over the spread of invasive pests are more than understandable, but the current

ban is not based on sound science and does not reflect the hard work by our apple growers to address those concerns.

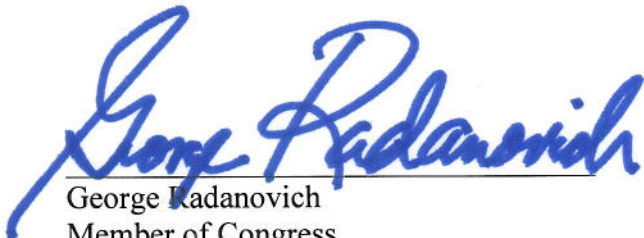
Regards,



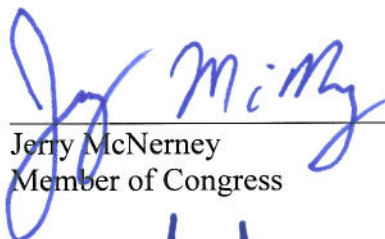
Barbara Boxer
United States Senator



Dennis Cardoza
Member of Congress



George Radanovich
Member of Congress



Jerry McNerney
Member of Congress



Devin Nunes
Member of Congress



Jim Costa
Member of Congress

Cc: Cindy Smith, Acting Administrator, APHIS, USDA
Max Holtzman, Senior Advisor to the Secretary, USDA
John Brewer, Associate Administrator, FAS, USDA
Jim Miller, Under Secretary, Farm and Foreign Agricultural Service, USDA